OIPE IAP45
MAR 20 2006
PATENT & TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: HORVATH=1

In re Application of:	)	Conf. No.: 4090
Domonkos HORVATH	)	Art Unit: 1744
Appln. No.: 10/678,059	)	Examiner: William H. BEISNER
Filed: October 6, 2003	)	Washington, D.C.
For: DEVICE FOR THE REGENERATION OF TISSUE, SPECIFICALLY BONE ...	)	March 20, 2006 MONDAY

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
Randolph Building, Mail Stop **AF**
401 Dulany Street
Alexandria, VA 22314

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the final rejection (or the rejection of claims for at least the second time), October 18, 2005, of the Primary Examiner. The claims appealed are claims 25-34.

The item(s) checked below are appropriate:

XX Small Entity Status: Applicant(s) claim small entity status. See 37 CFR 1.27.

XX The fee has been calculated as shown below:

____ $500.00
XX $250.00 (small entity)
____ Not required (fee paid in prior appeal)

XX Applicant hereby petitions for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity Response Filed Within			Other Than Small Entity Response Filed Within		
[ ] First	-	$ 60.00	[ ] First	-	$ 120.00
[XX] Second	-	$225.00	[ ] Second	-	$ 450.00
[ ] Third	-	$510.00	[ ] Third	-	$1020.00
month after time period set			month after time period set		

[ ]Less fees ($_____) already paid for __ months extension of time on ___.

XXX Credit Card Payment Form, PTO-2038, is attached, authorizing the amount of $ 475.00.

XXX Please charge any deficit in the fee paid herewith to my Deposit Account No. 02-4035.

Respectfully submitted,
BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

03/21/2006 JADD01 00000005 10678059
02 FC:2252 225.00 OP
02 FC:2251 250.00 OP

By: _____
Sheridan Neimark
Registration No. 20,520

Telephone No.: (202) 628-5197
Facsimile No.: (202) 737-3528
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